

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YOLANY PADILLA, on behalf of herself and her
6-year-old son J.A.; IBIS GUZMAN, on behalf of herself
and her 5-year-old son R.G.; BLANCA ORANTES, on
behalf of herself and her 8-year-old son A.M.; BALTAZAR
VASQUEZ, on behalf of himself;

Plaintiffs-Petitioners,

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
("ICE"); U.S. DEPARTMENT OF HOMELAND
SECURITY ("DHS"); U.S. CUSTOMS AND BORDER
PROTECTION ("CBP"); U.S. CITIZENSHIP AND
IMMIGRATION SERVICES ("USCIS"); EXECUTIVE
OFFICE FOR IMMIGRATION REVIEW ("EOIR"); U.S.
DEPARTMENT OF HEALTH AND HUMAN SERVICES
("HHS"); OFFICE OF REFUGEE RESETTLEMENT
("ORR"); THOMAS HOMAN, Acting Director of ICE;
KIRSTJEN NIELSEN, Secretary of DHS; KEVIN K.
McALEENAN, Acting Commissioner of CBP; L.
FRANCIS CISSNA, Director of USCIS; ALEX M. AZAR
II, Secretary of HHS; SCOTT LLOYD, Director of ORR;
MARC J. MOORE, Seattle Field Office Director; ICE,
JEFFERSON BEAUREGARD SESSIONS III, United
States Attorney General; LOWELL CLARK, warden of the
Northwest Detention Center in Tacoma, Washington;
CHARLES INGRAM, warden of the Federal Detention
Center in SeaTac, Washington; DAVID SHINN, warden of
the Federal Correctional Institute in Victorville, California;

Defendants-Respondents.

No. 2:18-cv-928 MJP

**JOINT STIPULATION
AND ORDER
REGARDING MOTION
BRIEFING SCHEDULE**

NOTE ON MOTION
CALENDAR:
AUGUST 20, 2018.

JOINT STIPULATION AND ORDER
REGARDING MOTION BRIEFING
SCHEDULE

CASE NO. 2:18-cv-928 MJP

1 Pursuant to Local Civil Rules 7(d)(1) and 10(g), plaintiffs and defendants hereby
2 stipulate and jointly move the Court for an Order setting the filing schedule for plaintiffs second
3 amended complaint, plaintiffs' pending class certification motion, and defendants' planned
4 dismissal motion.

5 Currently defendants' response to plaintiffs' first Amended Complaint (Dkt. # 8) is due
6 the last week of August and their response to plaintiffs' Motion for Class Certification (Dkt. #
7 11) is due August 20. After consultation between the parties' counsel, plaintiffs agreed to file an
8 amended complaint that no longer pursues this suit's family separation claims (but does pursue
9 CFI and bond hearing claims) and defendants stipulated to said amendment. Counsel also agreed
10 to a briefing schedule for plaintiffs' pending class certification motion and defendants' planned
11 dismissal motion. To avoid unnecessary duplication in briefing, the parties stipulate and agree to
12 the entry of an Order that sets the following schedule:

- 13 1. Plaintiffs' second amended complaint will be filed August 22. Defendants'
14 motion to dismiss will be due September 5 and noted for September 28. Plaintiffs'
15 response to the motion to dismiss will be due September 24 and defendants' reply
16 will be due September 28.
- 17 2. Plaintiffs renoted their Motion for Class Certification (Dkt. # 11) to
18 September 28. By agreement between the parties, defendants' response is due
19 September 17, and plaintiffs' reply is due September 28.

20 The reason for this stipulation is to avoid unnecessary duplication in the briefing
21 schedule. The parties anticipate that the class certification and dismissal motions may have issues
22 in common, and believe it is appropriate have those two motions considered at the same time.
23 Additionally, having both motions noted for the same day will help consolidate any oral
24 argument for the Court (if oral argument is granted), and simplify the Court's review of these
25 two motions.

26
JOINT STIPULATION AND ORDER
REGARDING MOTION BRIEFING
SCHEDULE - 1

CASE NO. 2:18-cv-928 MJP

RESPECTFULLY SUBMITTED this 20th day of August, 2018.

s/ Matt Adams

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JOINT STIPULATION AND ORDER
REGARDING MOTION BRIEFING
SCHEDULE - 2

CASE NO. 2:18-cv-928 MJP

ORDER

Based on the foregoing stipulation of the parties, IT IS SO ORDERED. After filing of the Second Amended Complaint on August 22, 2018, defendants' motion to dismiss will be due September 5 and noted for September 28. Plaintiffs' response to the motion to dismiss will be due September 24, and defendants' reply will be due September 28. Defendants' response to plaintiffs' pending renoted Motion for Class Certification (Dkt. # 11) is due September 17, and plaintiffs' reply is due September 28.

DATED this 28th day of August, 2018.



Marsha J. Pechman
United States District Judge

JOINT STIPULATION AND ORDER
REGARDING MOTION BRIEFING
SCHEDULE - 3

CASE NO. 2:18-cv-928 MJP